

8246

No. 82-1913-ADX  
Status: GRANTED

Title: Joe G. Garcia, Appellant  
v.  
San Antonio Metropolitan Transit Authority, et al.

Docketed:  
May 26, 1983

Court: United States District Court for the  
Western District of Texas

Video:  
82-1951

Counsel for appellant: Gold, Laurence, Solicitor General

See also:

Counsel for appellee: Parker Jr., George F., Coleman  
Jr., William T.

Entry	Date	Note	Proceedings and Orders
1	May 4 1983		Application for extension of time to docket appeal and order granting same until June 1, 1983 (White, May 5, 1983).
2	May 26 1983	G	Statement as to jurisdiction filed.
4	Jun 13 1983		Order extending time to file response to jurisdictional statement until August 19, 1983.
6	Jun 21 1983		Order extending time to file response to jurisdictional statement until July 26, 1983.
7	Jul 8 1983		Brief amicus curiae of Natl. League of Cities, et al. filed. VIDE.
8	Aug 19 1983		Motion of appellee San Antonio MTA to affirm filed. VIDE.
9	Aug 19 1983		Motion of appellee Am. Public Transit Assn. to affirm filed. VIDE.
10	Aug 24 1983		DISTRIBUTED. September 26, 1983
12	Aug 30 1983	X	Reply brief of appellant Joe G. Garcia filed.
13	Oct 3 1983		PROBABLE JURISDICTION NOTED. The case is consolidated with 82-1951 and a total of one hour is allotted for oral argument. *****
15	Nov 15 1983		Order extending time to file brief of appellant on the merits until November 28, 1983.
16	Nov 15 1983	G	Motion of the Solicitor General to dispense with printing the joint appendix filed.
17	Nov 28 1983		Motion of the Solicitor General to dispense with printing the joint appendix GRANTED.
18	Nov 28 1983		Brief of appellant Joe G. Garcia filed. VIDE.
19	Nov 29 1983		Application to exceed page limits on appellant's brief on the merits filed with BRW (A-411).
20	Nov 29 1983		Order granting same not to exceed 52 pages by White, J.
21	Dec 5 1983		Brief of appellant Donovan, Sec. of Labor in 82-1951 filed. VIDE.
23	Dec 13 1983	D	Motion of appellees for divided argument filed.
25	Dec 19 1983		Order extending time to file brief of appellee on the merits until February 3, 1984.
26	Dec 28 1983	N	Motion of National Institute of Municipal Law Officers for leave to file a brief as amicus curiae filed.
27	Jan 3 1984		Record filed.
28	Jan 3 1984		Certified original record, 2 boxes, received.
29	Jan 9 1984		Motion of appellees for divided argument DENIED.
30	Dec 28 1983		Brief amicus curiae of National Institute of Municipal Law Officers filed. VIDE.

Entry	Date	Note	Proceedings and Orders
31	Feb 3 1984	Brief of appellee Am. Public Transit Assn. filed. VIDE.	
32	Feb 3 1984	Brief of appellee San Antonio MTA filed. VIDE.	
33	Feb 3 1984	Brief amicus curiae of Legal Foundation of America filed. VIDE.	
34	Feb 3 1984	Brief amicus curiae of Natl. League of Cities, et al. filed. VIDE.	
35	Feb 1 1984	Leave to exceed pages on amicus brief of Nat'l. League of Cities, et al. filed with ERW (A-616).	
36	Feb 3 1984	Order granting leave to file amici curiae brief in excess of page limitations, not to exceed 33 pages.	
37	Feb 14 1984	SET FOR ARGUMENT. Monday, March 19, 1984. (1st case). This case is consolidate with No. 82-1951) (1 hour)	
38	Feb 15 1984	CIRCULATED.	
39	Mar 12 1984	X Reply brief of appellant Joe G. Garcia filed. VIDE.	
40	Mar 12 1984	X Reply brief of appellant Donovan, Sec. of Labor filed. VIDE.	
41	Mar 19 1984	ARGUED.	
42	Jul 5 1984	The case is restored to the calendar for reargument. In addition to the questions presented in the jurisdictional statement and previously briefed and argued, the parties are requested to brief and argue the following question: whether or not the principles of the Tenth Amendment as set forth in National League of Cities v. Usery, 426 U.S. 833 (1976), should be reconsidered?	
43	Jul 5 1984		
44	Jul 5 1984		
45	Jul 5 1984		
46	Jul 5 1984	The briefing schedule on reargument is as follows: July 30, 1984 - Appellants' briefs are to be filed and served in typewritten form. Aug. 4, 1984 - Appellants' briefs must be filed and served in printed form. Aug. 24, 1984 - Appellees' briefs are to be filed and served in typewritten form. Aug. 29, 1984 - Appellees' briefs must be filed and served in printed form.	
49	Jul 5 1984		
50	Jul 26 1984	G Motion of the Solicitor General for divided argument filed.	
51	Jul 30 1984	Supplemental brief of appellant Donovan, Sec. of Labor on reargument filed. VIDE.	
52	Jul 30 1984	Supplemental brief of appellant Joe G. Garcia on reargument filed. VIDE.	
53	Aug 6 1984	Order extending time to file appellees' supplemental briefs on reargument to and including September 5, 1984 for typewritten briefs, and to including September 10, 1984 for printed briefs.	
54	Aug 6 1984		
55	Aug 9 1984	D Motion of National League of Cities, et al. for leave to participate in oral argument as amici curiae and for additional time for oral argument filed.	
56	Aug 10 1984	SET FOR REARGUMENT. Monday, October 1, 1984. (1st case) This case is consolidated with No. 82-1951. (1 hr).	
57	Aug 17 1984	Application of Nat'l. League of Cities, et al. for leave to file amici curiae brief in excess of pages filed and order denying same by White, J. (A-107).	
58	Aug 22 1984		
59	Aug 23 1984	Motion of the Solicitor General for divided argument	

Entry	Date	Note	Proceedings and Orders
60	Aug 27 1984	GRANTED. CIRCULATED.	
61	Aug 30 1984	Application for leave to exceed pages on amici curiae brief of Nat'l. League of Cities filed with ERW (A-142). Order granting same not to exceed 34 pages by White, J.	
62	Aug 30 1984		
63	Aug 31 1984	X Brief amicus curiae of Natl. League of Cities, et al. filed. VIDE.	
64	Sep 5 1984	X Brief amicus curiae of California, et al. filed. VIDE.	
65	Sep 5 1984	X Brief amicus curiae of Natl. Institute of Municipal Law Officers filed. VIDE.	
66	Sep 5 1984	X Brief amicus curiae of Colorado Public Employees' Retirement Assn. filed. VIDE.	
67	Sep 7 1984	X Supplemental brief of appellee San Antonio MTA on reargument filed. VIDE.	
68	Sep 7 1984	X Supplemental brief of appellee Am. Public Transit Assn. on reargument filed. VIDE.	
69	Sep 5 1984	X Brief amicus curiae of Nat'l. Public Employer Labor Relations Assn., et al. filed. VIDE.	
70	Sep 18 1984	Motion of National League of Cities, et al. for leave to participate in oral argument as amici curiae and for additional time for oral argument DENIED.	
71	Sep 24 1984	X Reply brief of appellant Donovan, Sec. of Labor on reargument filed. VIDE.	
72	Sep 24 1984	X Reply brief of appellant Joe G. Garcia filed. VIDE.	
73	Oct 1 1984	REARGUED.	